



Virginia  
Regulatory  
Town Hall

## Final Regulation Agency Background Document

<b>Agency Name:</b>	Real Estate Board
<b>VAC Chapter Number:</b>	18 VAC 135-50-20
<b>Regulation Title:</b>	Fair Housing Regulations
<b>Action Title:</b>	Amendment to Fair Housing Regulations
<b>Date:</b>	May 15, 2003

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

### Summary

*Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.*

The Real Estate Board (the Board) proposes to amend existing fair housing regulations that describe discriminatory housing practices and investigative and conciliation procedures. The Board proposes to amend and delete certain fair housing regulations as they relate to the fair housing law. Between 1992 and 2000 the General Assembly amended the fair housing law five times. In some cases the General Assembly deleted statutory language. In other cases the General Assembly added statutory language. The fair housing regulations on the other hand have not been reviewed since 1991.

Numerous discrepancies exist between the fair housing law and the fair housing regulations. In some instances fair housing regulations include language that the

General Assembly deleted from the law. In other instances regulations are missing language that the General Assembly added to the law. In still other instances the regulations repeat verbatim what the law states, which is duplicative and unnecessary. The Board is therefore proposing to amend the fair housing regulations to make them consistent with the fair housing law. The Board is also proposing to delete certain regulations that are duplicative of the law and as such are unnecessary.

### Statement of Final Agency Action

*Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.*

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The Real Estate Board adopted final Fair Housing regulations on May 8, 2003.

### Basis

*Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.*

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Virginia's Fair Housing Office is under the auspices of the Department of Professional and Occupational Regulation (DPOR). The Fair Housing Office investigates allegations of housing discrimination and functions as the investigative arm of Virginia's Real Estate Board (the Board). Chapter 21 of Title 54.1 of the Code of Virginia (specifically § 54.1-2105.A) provides that the Board may do all things necessary and convenient for carrying into effect the provisions of the chapter and may promulgate necessary regulations. Furthermore, since this explanation addresses the Board's authority to amend fair housing regulations, reference is made to Title 36, Chapter 5.1, § 36.96.20.C which states that "the Board shall perform all acts necessary and proper to carry out the provisions of this chapter and may promulgate and amend regulations." The Board's authority is discretionary.

The Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulations and that they comport with applicable state and/or federal law.

## Purpose

*Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.*

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One of the fundamental needs of all citizens is for safe and affordable housing. In this regard it is the policy of the Commonwealth of Virginia to provide for fair housing throughout the Commonwealth, to all its citizens regardless of race, color, religion, national origin, sex, elderliness, familial status or handicap, and to that end to prohibit discriminatory practices with respect to residential housing by a person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all inhabitants of the Commonwealth may be protected and insured. This law shall be deemed an exercise of the police power of the Commonwealth of Virginia for the protection of the people of the Commonwealth. § 36-96.1, Code of Virginia. Fair Housing regulations are therefore among the most important because they safeguard one of our most fundamental needs, housing.

Numerous discrepancies currently exist between the fair housing law and the fair housing regulations. In some instances fair housing regulations include language that the General Assembly deleted from the law. In other instances regulations are missing language that the General Assembly added to the law. In still other instances the regulations repeat verbatim what the law states, which is duplicative and unnecessary. The Board is therefore proposing to amend its fair housing regulations to make them consistent with the fair housing law. The Board is also proposing to delete certain regulations that are duplicative of the law and as such are unnecessary.

## Substance

*Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.*

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The Board's proposed regulatory changes include but are not limited to the following:

18VAC 135-50-90 Discrimination in terms, conditions and privileges and in services and facilities. Amend to clarify discriminatory conduct.

18VAC 135-50-100 Other prohibited sale and rental conduct. Amend to clarify discriminatory conduct.

18VAC 135-50-230, Advertising: Scope, delete.

18VAC 135-50-240, Advertising: Advertising Media, delete.

18VAC 135-50-250, Advertising: Persons Placing Advertisements, delete.

The Board is also amending the Housing for Older Persons Regulation (18 VAC 135-50-210), to conform it more closely to parts of the Housing for Older Persons Act of 1995 passed by Congress. The Board proposes to add three related regulations, one that addresses a facilities intent to operate as housing for older persons facility (18 VAC 135-50-212), one that addresses verification of occupancy in housing for older persons facilities (18 VAC 135-50-215) and one that addresses good faith defense against civil money damages (18 VAC 135-50-217).

## Issues

*Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.*

The advantage to the public and the Commonwealth resulting from the regulatory changes are two fold: 1) the proposed regulatory changes will reduce inconsistencies between the fair housing regulations and the fair housing law allowing the public and the Commonwealth to be better served; and 2) additions to the Housing for Older Persons regulation clarify state law as it relates to federal law, which should also better serve the public and the Commonwealth. There are no apparent disadvantages to the proposed changes.

## Statement of Changes Made Since the Proposed Stage

*Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.*

18 VAC 135-50-50 – Retain original language with slight modification to read “It is the policy of Virginia to provide, within constitutional limitations, for fair housing throughout the Commonwealth and to impose obligations, rights and remedies substantially equivalent to those granted under federal law. No person shall be subject to discriminatory housing practices because of race, color, religion, sex, handicap, elderliness, familial status, or national origin in the sale, rental, advertising of dwellings, inspection of dwellings or entry into a neighborhood, in the provision of brokerage services, financing or the availability of residential real estate related transactions.”

18 VAC 135-50-80 B – Retain “but are not limited to” and retain subsections 1 and 2 in their entirety.

18 VAC 135-50-90 B – Add “Examples of”, retain “but are not limited to” and retain subsection 3 in its entirety.

18 VAC 135-50-100 A and B – Retain “but are not limited to” and retain subsection A 2.

18 VAC 135-50-110 – Retain subsection B in its entirety. Retain “but are not limited to” in subsection C. Reword subsection E to read: “Persons subject to § 36-96.3 of the Virginia Fair Housing Law shall post and maintain a HUD approved fair housing poster as follows:” Retain subsection 2 which reads: “The poster requirement does not apply to vacant land, or any single family dwelling, unless such dwelling (i) is being offered for sale or rental in conjunction with the sale or rental of other dwellings in which circumstances a fair housing poster shall be posted and maintained as specified in subdivision 1 b (ii) of this subsection, or (ii) is being offered for sale or rental through a real estate broker, agent, salesman, or person in the business of selling or renting dwellings in which circumstances a fair housing poster shall be posted and maintained as specified in subdivision 1 a of this subsection.”

18 VAC 135-50-120 B – Retain “but are not limited to”.

18 VAC 135-50-130 – Retain the entire section (Blockbusting).

18 VAC 135-50-140 B – Retain “but are not limited to”.

18 VAC 135-50-160 B – Retain “but are not limited to”.

18 VAC 135-50-170 B – Retain “but are not limited to”.

18 VAC 135-50-180 B – Retain “but are not limited to”.

18 VAC 135-50-190 C – Retain “but are not limited to”.

18 VAC 135-50-200 – In subsection A “Common use areas” and “Physical or mental impairment”(2) – Retain “but are not limited to”. In subsection A “handicap”, add “The following terms, as used in the definition of handicap contained in § 36-96.1:1 of the Code of Virginia shall mean:” and retain “Has a record of such an impairment” and “Is regarded as having an impairment”. Delete subsection B2. Retain subsection D.

18 VAC 135-50-220 B – Retain “but are not limited to”.

18 VAC 135-50-300 – Retain the last two sentences of subsection A which read: “Where the information constitutes a complaint within the meaning of the fair housing law and these regulations and is furnished by an aggrieved person, a complaint will be considered filed in accordance with 18 VAC 135-50-350. Where additional information is required for the purpose of perfecting a complaint under the law, the administrator or his designee will advise what additional information is needed and will provide appropriate assistance in the filing of the complaint.” Retain subsection C in its entirety.

18 VAC 135-50-310 – Retain the entire section (Who may file complaint).

18 VAC 135-50-330 – Retain subsection B with a modification to read: “Aggrieved persons may provide information to be contained in a complaint by telephone to fair housing office staff. Staff in the fair housing office will reduce information provided by telephone to writing on the prescribed complaint form and send the form to the aggrieved person to be signed and affirmed in accordance with 18 VAC 135-50-340 A.”

18 VAC 135-50-340 – Retain the entire section (Form and content of a complaint).

18 VAC 135-50-350 – Retain subsections A and B in their entirety.

18 VAC 135-50-360 – Retain the entire section (Amendment of complaint).

18 VAC 135-50-370 – Retain the entire section (Service of notice on aggrieved person).

18 VAC 135-50-380 – Retain the entire section (Respondent to be notified of complaint).

18 VAC 135-50-420 – Retain portions of subsection B to read: “The administrator and the respondent may conduct discovery in aid of the investigation by the same methods and to the same extent that parties may conduct discovery in a court of law. The administrator or his designee, on behalf of the board, shall also have the power to issue subpoenas described under the law, in support of the investigation.”

18 VAC 135-50-450 – Retain the entire subsection C.

18 VAC 135-50-460 – Retain the entire subsection B.

18 VAC 135-50-480 A2 – Retain “but are not limited to”.

18 VAC 135-50-510 – Retain the entire subsection A.

18 VAC 135-50-530 – In subsection A retain the following sentence: “The reasonable cause determination will be based solely on the facts concerning the alleged discriminatory housing practice, provided by complainant and respondent and otherwise disclosed during the investigation. In making the reasonable cause determination, the board shall consider whether the facts concerning the alleged discriminatory housing practice are sufficient to warrant the initiation of a civil action in the appropriate state court.” Retain subsection B 1 in its entirety and retain the first sentence of subsection B 2.

18 VAC 135-50-540 – Retain the entire section (Local zoning and land use).

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

Commenter: Robert M. Wainwright, III  
 1520 Stone Moss Court  
 Suite 301  
 Virginia Beach, VA 23462

Summary of Comment	Response
<p>Mr. Wainwright expressed concern that not being bilingual could form the basis of a complaint under Section 280. Wainwright also expressed concern that the wording in 135-50-280.1, which relates to advertising, is ambiguous as to “selectively geographic advertisements.” Wainwright further expressed concern over the words “board approval” in 135-50-270.</p>	<p>Section 280 notes that the selective use of advertising <u>can lead</u> to discriminatory results. Since this is true, this section should be retained. Note that this is not new language, it is contained in the current regulations.</p> <p>With regard to Section 280.1, the language is preceded by the same language noted above that “the selective use of advertising media...<u>can lead</u> to discriminatory results...[or] that selective ...advertisements <u>may have</u> a discriminatory impact. ” Depending on the facts, selective advertising could be discriminatory. This language should therefore be retained. Note that this is not new language, it is contained in the current regulations.</p> <p>The words that Wainwright refers to in 135-50-270, “board approval” and “membership approval” are part of a larger list of words. That list begins by noting that the following words and phrases <u>used in a discriminatory context</u> should be avoided. (Emphasis added) This section states that certain words if used in a discriminatory context could implicate the fair housing law. The words should therefore be retained. Note that this is not new language, it is contained in the current regulations.</p>

Commenter: Housing Opportunities Made Equal “HOME”  
 2201 West Broad Street  
 Suite 200  
 Richmond, VA 23220

Summary of Comment	Response
<p>Section 70.B.6 - clarifying language is deleted, removes guidance on how to interpret and apply the law and reduces consistency with federal regulations.</p>	<p>Original language on this issue in Section 130 has been retained.</p>

Section 80.B – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 80.B.1 – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 80.B.2 – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 90.B – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 90.B.3 – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 100.A – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 100.A.2 – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 100.B – clarifying language is deleted, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 110.B – narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 110.C – narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 110.E.5 – removes guidance on how to interpret and apply the law, reduces consistency with federal regulations.	No statutory authority for this language.
Section 120.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 130 - narrows the scope of the Board’s interpretation of the law, reduces	Original language retained.

consistency with federal regulations.	
Section 130.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 140.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 150 – language is duplicative but improves readability of the regulations, reduces clarity of how regulations track with law, reduces consistency with federal regulations.	HOME agreed to the deletion of this language.
Section 160.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 170.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 180.B - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 190.D - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 200 (common use areas) - narrows the scope of the Board’s interpretation of the law.	Original language retained.
Section 200.A (has a record of such impairment) - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained with clarifying change.
Section 200.A (is regarded as having an impairment) - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained with clarifying change.
Section 200.A(physical or mental impairment(2)) - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 200.B.5 - narrows the scope of the Board’s interpretation of the law.	HOME has agreed to the deletion of this language.
Section 220.C - narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 270 - clarifying language is deleted,	HOME has agreed to the deletion of this

narrows the scope of the Board’s interpretation of the law.	language.
Section 270.6 - clarifying language is deleted, narrows the scope of the Board’s interpretation of the law.	HOME has agreed to the deletion of this language.
Section 290.3 –removes guidance on how to interpret and apply the law.	HOME has agreed to the deletion of this language.
Section 290.4 - removes guidance on how to interpret and apply the law.	HOME has agreed to the deletion of this language and believes it should be included in a publication.
Section 300.A – limits how complaints may be filed, limits assistance provided to complainants, reduces consistency with federal regulations.	Original language retained.
Section 300.C – limits how complaints may be filed, limits assistance provided to complainants, reduces consistency with federal regulations.	Original language retained.
Section 310. – limits how complaints may be filed, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 330.B – limits how complaints may be filed, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 340.A – limits how complaints may be filed, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 340.B – limits how complaints may be filed, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 340.C – reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 350.A – reduces transparency of complaint process.	Original language retained.
Section 350.B – reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 360 – clarifying language is deleted, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.

Section 370.2 – similar language is in the law regarding the notification of respondents but not complainants, limits information provided to complainants, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 370.3 – similar language is in the law regarding the notification of respondents but not complainants, limits information provided to complainants, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 370.4 – limits how complaints may be filed, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 370.5 – limits information provided to complainants, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 380.A – notification of such timeframes is critical to the timely processing of complaints, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 380.B.2 – notification of such information is critical to enable respondent to reply to complaint, reduces transparency of complaint process.	Original language retained.
Section 380.B.3 – notification of such timeframes is critical to the timely processing of complaints, reduces transparency of complaint process.	Original language retained.
Section 380.B.6 – limits information provided to respondents, reduces transparency of complaint process.	Original language retained.
Section 380.B.7 – limits information provided to respondents, reduces transparency of complaint process.	Original language retained.
Section 380.B.8 – notification of such timeframes is critical to the timely processing of complaints, reduces transparency of complaint process.	Original language retained.
Section 390.A – jeopardizes the timely processing of complaints, reduces consistency with federal regulations.	HOME has agreed to the deletion of this language.

Section 450.C – limits information provided, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 460.B – reduces guidance on how to enact law, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 470.B – reduces guidance on how to interpret and apply law, reduces consistency with federal regulations.	HOME has agreed to the deletion of this language.
Section 470.C – removes guidance on how to interpret and apply law, reduces consistency with federal regulations.	HOME has agreed to the deletion of this language.
Section 480.A.2 – narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 530.A – reduces guidance on how to enact law, narrows the scope of the Board’s interpretation of the law, reduces consistency with federal regulations.	Original language retained.
Section 530.B.2 – limits information provided, removes guidance on how to interpret and apply law, reduces consistency with federal regulations.	HOME has agreed to the deletion of this language.
Section 540 – limits information provided, reduces transparency of complaint process, reduces consistency with federal regulations.	Original language retained.
Section 580.A.3 – reduces guidance on how to enact law, reduces transparency of complaint process, reduces consistency with federal regulations.	HOME has agreed to the deletion of this language.
Section 580.B – clarifying language is deleted, reduces transparency of complaint process.	Original language retained except for the last two sentences in subsection B 2. HOME is in agreement with the adopted change.

**Detail of Changes**

*Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.*

The Board's proposed regulatory changes include but are not limited to the following:

18VAC 135-50-70 Real estate practices prohibited. Delete sections B 1-7 as they are duplicative of the law, § 36.96.3.A.1-9.

18VAC 135-50-90 Discrimination in terms, conditions and privileges and in services and facilities. Amend to clarify discriminatory conduct.

18VAC 135-50-150 Discriminatory practices in residential real estate related transaction. Delete section as it is duplicative of the law, § 36.96.4.

18VAC 135-50-210 Housing for older persons. Delete paragraph 3.a. Last year the General Assembly deleted the significant services and facilities requirements from the law. This change will conform the regulation to the law.

18VAC 135-50-230, Advertising: Scope, delete.

18VAC 135-50-240, Advertising: Advertising Media, delete.

18VAC 135-50-250, Advertising: Persons Placing Advertisements, delete.

18VAC 135-50-270 Use of words, phrases, symbols and visual aids. Delete the last sentence in paragraph six to conform regulation to changes that the General Assembly made to § 36-96.3.3.

18VAC 135-50-420 Conduct of investigation. Amend to add the words "or designee" after the word administrator.

18VAC 135-50-440 Completion of investigation. Delete paragraphs B and C. Two years ago the General Assembly deleted the one-year requirement from the law. This amendment will conform the regulation to the law.

18VAC 135-50-450 Final investigative report. Delete a portion of the section as it is duplicative of the law, § 36-96.10.

18VAC 135-50-560 Time to make reasonable cause determination. Delete section as it is duplicative of the law, § 36-96.11.

18VAC 135-50-570 Time to make administrative disposition. Delete section as the General Assembly deleted the one-year requirement. The paragraph is otherwise duplicative of the law, §§ 36-96.11. and 36-96.12.

18VAC 135-50-580 Issuance of charge. Delete section as it is duplicative of the law, § 36-96.14.

18VAC 135-50-590, Referral of a Charge, delete as duplicative of the law, section 36-96.14.

The Board is also supplementing the Housing for Older Persons Regulation (18 VAC 135-50-210), to conform it more closely to parts of the Housing for Older Persons Act of 1995 passed by Congress. The Board is adding three related regulations, one that addresses a facilities intent to operate as housing for older persons facility (18 VAC 135-50-212), one that addresses verification of occupancy in housing for older persons facilities (18 VAC 135-50-215) and one that addresses good faith defense against civil money damages (18 VAC 135-50-217).

## Family Impact Statement

*Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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Current fair housing regulations serve to protect families as defined under the fair housing law, including families with children, by prohibiting certain practices that discriminate against families with children. The Board's review of its fair housing regulations will include reviewing whether current or proposed regulations strengthen or erode parental rights and marital commitment.